



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

September 17, 2020

**BY ECF**

The Honorable J. Paul Oetken  
United States District Judge  
Southern District of New York  
Thurgood Marshall U.S. Courthouse  
40 Foley Square  
New York, New York 10007

Re: *United States v. Lev Parnas, et al.*, S1 19 Cr. 725 (JPO)

Dear Judge Oetken:

The Government respectfully submits this letter to inform the Court that a superseding indictment was returned in the above-referenced case earlier today. The superseding indictment makes certain changes to the existing campaign finance charges, as detailed below; adds two counts based on the same conduct already charged in the original indictment; and adds a wire fraud conspiracy charge against two of the defendants, Lev Parnas and David Correia, based on conduct not previously charged in the original indictment. In particular, the superseding indictment:

- Streamlines certain factual allegations regarding the “Straw Donor Scheme” charged in Count One;
- Adds David Correia to Counts Two and Three, which already charge Lev Parnas and Igor Fruman with making false statements and falsifying records to obstruct the administration of a matter within the jurisdiction of the Federal Election Commission, in violation of 18 U.S.C. §§ 1001(a)(2), 1519, and 2;
- Based on substantially the same conduct giving rise to the “Foreign Donor Scheme” already charged against all defendants in Count Four, adds two additional substantive counts: Count Five (against Parnas, Fruman, and Correia), for soliciting a foreign national to make donations and contributions in connection with federal and state elections in violation of 52 U.S.C. §§ 30121 and 30109(d)(1)(A) & (D), and 18 U.S.C. § 2, and Count Six (against Parnas, Fruman, and Kukushkin), for making and aiding and abetting the making of donations and contributions by a foreign national in connection with federal and state elections, in violation of 52 U.S.C. §§ 30121 and 30109(d)(1)(A), and 18 U.S.C. § 2); and

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- Adds Count Seven, which charges Parnas and Correia with conspiracy to defraud multiple victims by inducing them to invest in their company, “Fraud Guarantee,” based on materially false and misleading representations, in violation of 18 U.S.C. § 1349. The superseding indictment also adds forfeiture allegations in relation to Count Seven.

The Government does not anticipate that the superseding indictment will necessitate the production of any additional discovery. However, the Government is continuing to make rolling productions of discovery as it continues to unlock and access devices and review the contents of those devices, and obtain evidence from other sources, among other things, and expects to make its next production of discovery within the next 10 days, and a subsequent production consisting principally of emails shortly thereafter.<sup>1</sup>

Finally, the Government will confer with defense counsel and update the Court with respect to the parties’ proposal as to the defendants’ arraignment on the superseding indictment, and the exclusion of time under the Speedy Trial Act.

Respectfully submitted,

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cc: All counsel of record (via ECF)

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<sup>1</sup> On September 9, 2020, the Court granted the Government’s *ex parte* and sealed request for an extension of the Rule 16(d) Order, which authorized the continued withholding or redaction from discovery of certain materials related to an ongoing investigation based on good cause shown.